## RECEIVED 4048817777 CENTRAL FAX CENTER

## JAN 0 9 2006

This facsimile message and its contents are legally privileged and confidential information intended solely for the use of the addressec. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this message and its contents is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original message to us at the address shown below via the Postal Service. Thank You.

## ALSTON&BIRD LLP

One Atlantic Center 1201 West Peachtree Street Atlanta, Georgia 30309-3424 404-881-7000 Fax: 404-881-7777

# TELECOPY PLEASE DELIVER AS SOON AS POSSIBLE

Date:
January 9, 2006

Recipient:
Company:
Commissioner for Patents
MAIL STOP AF

Fax Number:
(571) 273-8300

Sender:
Jon M. Jurgovan

Message:

Please acknowledge receipt of the attached Notice of Appeal for Application No. 09/802,367.

Number of Pages: (including cover page)	3
---	---

## IF NOT RECEIVED PROPERLY, PLEASE NOTIFY US IMMEDIATELY AT 404-881-4759.

USER CODE: JURGJ	REQUESTED BY: Shelley Victoria
CLIENT/MATTER: 043455/274252	OPERATOR:

## RECEIVED CENTRAL FAX CENTER

T-693 P.002/003 F-495

### JAN 0 9 2006

PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:

09/802,367

Confirmation No.: 8322

Applicant(s): Filed:

Michael Last March 9, 2001

Art Unit:

3629

Examiner:

MOONEYHAM, JANICE A.

Title:

SYSTEM AND METHOD FOR POSTING AVAILABLE TIME SLOTS

TO A NETWORK HUB

Docket No.:

043455/274252

Customer No.: 00826

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated , rejecting the following Claims The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed. 冈 Applicant claims small entity Status. П A check is enclosed. (\$500.00 for large entity fee or \$250.00 if small entity status)  $\boxtimes$ Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee. 冈 Any additional fee or refund may be charged to our Deposit Account No. 16-0605. A petition for an extension of time under 37 CFR § 1.136(a) is enclosed. Respectfully submitted.

> Jon M. Jurgovan Registration No. 34,633

Customer No. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Atlanta Office (404) 881-7000 Fax Atlanta Office (404) 881-7777

ATL01/12116583v1

4048817777

In re: Michael Last Appl. No.: 09/802,367 Filing Date: March 9, 2001

Page 2

CERTIFICATION OF FACSIMILE	TRANSMISSION
----------------------------	--------------

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.